

Steven J. Boranian (SBN 174183)
Email: sboranian@reedsmith.com
Joshua B. Marker (SBN 267569)
Email: jmarker@reedsmith.com
REED SMITH LLP
101 Second Street, Suite 1800
San Francisco, CA 94105-3659
Telephone: +1 415 543 8700
Facsimile: +1 415 391 8269

Attorneys for Defendants
Biomet Orthopedics, LLC, Biomet, Inc., and
Biomet, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ROBERT NAPIER,

Plaintiff,

VS.

**BIOMET ORTHOPEDICS, LLC, BIOMET,
INC., and BIOMET, LLC,**

Defendants.

No.: 12-CV-3440-PJH

**[PROPOSED] STIPULATED ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE**

Honorable Phyllis J. Hamilton

1 Plaintiff Robert Napier (“Plaintiff”) and Defendants Biomet Orthopedics, LLC and Biomet,
 2 Inc. (“Biomet” or “Defendants”) hereby submit, through the undersigned, the following Stipulation
 3 To Continue Case Management Conference.¹

4 This case involves allegations relating to a Biomet M2a hip implant device. On October 2,
 5 2012, the Judicial Panel on Multidistrict Litigation (“JPML”) issued a transfer order involving
 6 Biomet M2a hip implant devices for consolidated pretrial proceedings. On October 9, 2012 the
 7 JPML issued a Conditional Transfer Order, to which this case was subject, which was finalized on
 8 October 17, 2012. The Parties expect that this case will be transferred to *In re: Biomet M2A*
 9 *Magnum Hip Implant Products Liability Litigation*, Northern District of Indiana, MDL No. 2391, in
 10 the immediate future.

11 IT IS THEREFORE STIPULATED AND AGREED by and among Plaintiffs and Defendants
 12 through the undersigned, to Continue the Case Management Conference to December 6, 2012 at
 13 2:00 p.m., pending the transfer of this case to MDL No. 2391.

14 .
 15 DATED: October 22, 2012.

16 REED SMITH LLP

17 By /s/ Steven J. Boranian*

18 Steven J. Boranian
 19 Attorneys for Biomet Orthopedics, LLC, Biomet,
 20 Inc., and Biomet, LLC

21 SEEGER SALVAS LLP

22 By /s/ Kenneth M. Seeger

23 Kenneth M. Seeger
 24 Attorneys for Plaintiff Mary Glancey

25 *Filer’s Attestation: Pursuant to Civil Local Rule 5-1(i) regarding signatures, Steven J. Boranian
 26 hereby attests that concurrence in the filing of this document has been obtained.

27
 28 1 Plaintiff’s Complaint also names Biomet, LLC as a defendant, but there is no legal entity known as Biomet, LLC.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
2
3

4
5 DATED: _____, 2012
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

100 HONORABLE PHYLLIS J. HAMILTON
110 UNITED STATES DISTRICT COURT JUDGE

REED SMITH LLP
A limited liability partnership formed in the State of Delaware